

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

DARRYL WIENKE,

No. CV 10-4082 NJV

Plaintiff,

v.

ORDER REQUIRING ADDITIONAL
BRIEFING ON DEFENDANT'S MOTION
TO DISMISS THE FIRST AMENDED
COMPLAINT

INDYMAC BANK FSB, ET AL.,

Defendants.

(Document No. 28)

This is a civil action arising out of the denial of a mortgage loan modification and the attempted foreclosure of real property in Kelseyville, California. Defendant Indymac Mortgage Services (IMS) now moves to dismiss the First Amended Complaint. Doc. No. 28. The June 21, 2011 hearing on Defendant's motion was vacated by the request of Plaintiff Darryl Wienke, who is proceeding pro se. Doc. No. 31.

The Court orders Defendant IMS to file a supplemental brief limited to two pages by June 27, 2011 addressing the status of the foreclosure sale of the underlying property, including whether the sale is still voluntarily suspended, whether a foreclosure sale been scheduled, and if a sale has been scheduled, when it is currently scheduled to occur. Any declaration submitted in support of the supplemental brief is also limited to two pages.

IT IS SO ORDERED.

Dated: June 20, 2011



NANDOR J. VADAS
United States Magistrate Judge